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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,722	03/12/2001	Brian Henry Stockley	EL727968517US	3163

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Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08930

EXAMINER

THAI, HANH B

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 05/13/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/805,722

Applicant(s)

STOCKLEY, BRIAN HENRY

Examiner

Hanhi B Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2, 5-6 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolnick et al. (U. S. Patent no. 6,043,817) in view of Choy (U. S. Patent no. 6,321,374) in further view of Porcaro (U. S. patent no. 5,774,717).

Regarding claims 1, 5 and 10-12, Bolnick discloses in a computer subsystem, in which user-defined data structures accessible to editor software (see Fig.1, Bolnick), and in which user modifications to the data structures (see col. 5, lines 21-25 and col.17, lines 29-34, Bolnick) during editing are made directly to the data structures rather than indirectly by way of a temporary file, a method for permitting naming and manipulation of the data structures (col.4, lines 58-63, Bolnick), the method comprising the steps of:

providing close, discard and rename functions for the data structures, if a newly created data structure is being edited (see col.17, lines 40-46, Bolnick); "close" corresponds to "Exit" function, "discard" corresponds to "cancel" function.

providing close and copy functions for the data structures if an existing data structure is being edited (see col.17, lines 40-46 and col.18, lines 1-29, Bolnick).

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Bolnick, however, does not disclose that the data structures have referential integrity. Choy, on the other hand disclose referential integrity in data management system (see col. 7, lines 2-26 and 27-39, Choy). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bolnick to include the referential integrity in the data structures as taught by Choy. The motivation of doing so would have been to handle heterogeneous data (see col.3, lines 566-67, Bolnick).

Bolnick and Choy combination does not disclose “a save-as function for the data structures is entirely excluded so as to be incapable of being executed”. Porcaro, however, discloses a method for resolving file system conflicts between a client and server file system including the step wherein the rename function cannot be performed as reads on the claimed limitation that the save-as function is entirely excluded. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bolnick and Choy to include the claim feature as taught by Porcaro. The motivation of doing so would have been to provide an efficient system for resolving detected conflicts (see col.2, lines 19-25, porcaro).

Regarding claims 2, 6 and 13, Bolnick/Choy/Porcaro combination further discloses the data structures comprise objects (see 130,132, Fig2, Choy).

Regarding claim 9, Bolnick/Choy/Porcaro combination further discloses the computer-readable media is removable from the subsystem (see col. 3, lines 30-34, Choy).

2. Claims 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolnick et al. (U. S. Patent no. 6,043,817) in view of Choy (U. S. Patent no. 6,321,374) in further view of Porcaro (U. S. patent no. 5,774,717).

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Regarding claims 16 and 20, Choy discloses a method for enabling data structure naming and manipulation functions in a computer system (10, Fig.5, Choy) coupled to a display (110, Fig.5) and employing transacted service, wherein the data structures have referential integrity (col. 7, lines 2-26, Choy) and temporary copies of data structures are not created during editing of the data structures, the method comprising the steps of presenting on the display (110, Fig.5) a representation of a plurality of data structures (see col. 7, lines 1-26 and col.9, lines 1-5, Choy); and providing a plurality of functions for either or both of naming (see col. 10, lines 35-41, Choy) and manipulation of data structures.

Choy does not disclose the plurality of functions excluding a save-as function.

Choy does not disclose “entirely excluding a save-as function so as to be incapable of being executed”. Porcaro, however, discloses a method for resolving file system conflicts between a client and server file system including the step wherein the rename function cannot be performed as reads on the claimed limitation that the save-as function is entirely excluded. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Choy to include the claim feature as taught by Porcaro. The motivation of doing so would have been to provide an efficient system for resolving detected conflicts (see col.2, lines 19-25, porcaro).

Regarding claims 17 and 21, Choy/Porcaro combination further discloses the manipulation functions comprises providing close, discard and rename functions if a newly-created data structure is being edited (see col.5, line 25 to col.6, line 51, Porcaro).

Regarding claims 18 and 22, Choy/Porcaro combination further discloses manipulation functions comprises providing close and copy functions if an existing data structure is being

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edited (see col.3, line 52 and col.5, line 31, Porcaro). Please note that “stores data into a pre-existing file” corresponds to the “copy function”.

Regarding claims 19 and 23, Choy/Porcaro combination further discloses that the step of presenting on the display a representation of a plurality of data structures comprises presenting a graphical representation of a plurality of data structures (see Fig.3-4 of Porcaro).

3. Claims 3-4, 7-8 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolnick et al. (U. S. Patent no. 6,043,817) in view of Porcaro (U. S. patent no. 5,774,717) further in view of Choy (U. S. Patent no. 6321374) and further view of Ferrel et al. (U. S. Patent no. 6,199,082).

Regarding claims 3-4, 7-8 and 14-15, Bolnick/Choy/Porcaro combination further discloses all of the claim subject matter as discussed above, except Bolnick/Choy/Porcaro combination does not disclose the data structures comprise mark-up language documents or XML documents. It is well known in the art to use the mark-up language documents or XML documents in the page editor as taught by Ferrel (see Fig.2 and col.4, lines 1-30, Ferrel). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the mark-up language documents or XML documents to enhance the web page system.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Hanh Thai 

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May 5, 2004



UYEN LE
PRIMARY EXAMINER